

From: Engels, Alan

Sent: Monday, February 12, 2018 04:18 PM

To: Kaminer, Joan; Mia, Marcia

Subject: FW: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS 0000a)? RE: FOIA 2018-001886

Attachments: 2018-02-09 Response to FOIA Request.pdf

Here is another example of what we are getting as a response.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

I would appreciate your assistance in developing the appropriate language to respond to these concerns,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Alan Engels

Regional FOIA Officer

US EPA, Region 8

1595 Wynkoop Street

Attn: 8TMS-IMP-CMU (FOIA)

Denver, Colorado 80202

Engels.Alan@epa.gov

(303) 312-6306

From: Andrea Huggins [mailto:andrea.huggins@whiting.com]

Sent: Friday, February 9, 2018 4:28 PM

To: Rivera, Adrienne <Rivera.Adrienne@epa.gov>; Engels, Alan <engels.alan@epa.gov>

Cc: Clay Taylor <Clay.Taylor@whiting.com>; Jagadeesan Sethuraman <Jagadeesan.Sethuraman@whiting.com>; Jerry Fiore <jerry.fiore@whiting.com>

Subject: RE: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS 0000a)? RE: FOIA 2018-001886

Adrienne,

The attached document contains Whiting's response your below inquiry. This letter has

ED_004016_00078262-00001

also been submitted to you via certified mail.

Thank you,

Andrea Huggins
Principal Engineer
Whiting Petroleum Corporation
and its wholly owned subsidiary
Whiting Oil and Gas Corporation
1700 Broadway, Suite 2300
Denver, CO 80290
Direct (303) 390-1353
Cell (720) 256-1622
andrea.huggins@whiting.com
www.whiting.com

The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to this message and deleting it from your computer.

From: Rivera, Adrienne [mailto:Rivera.Adrienne@epa.gov]
Sent: Tuesday, February 6, 2018 3:48 PM
To: Rivera, Adrienne <Rivera.Adrienne@epa.gov>
Cc: Engels, Alan <engels.alan@epa.gov>
Subject: Do You Assert CBI Claim for Compliance Records Submitted Under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa)? RE: FOIA 2018-001886
Importance: High

The U.S. Environmental Protection Agency has received a request under the Freedom of Information Act (FOIA) for records containing information related to

certain compliance records submitted to the EPA under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS OOOOa). You can view the request at:

<https://foiaonline.regulations.gov/foia/action/public/view/request?objectId=090004d28171d08c>

The records requested include results of performance tests, initial semiannual reports for gas plants, semiannual reports for gas plants, annual reports and annual reports of excess emissions for sweetening units.

We believe you may have made a submittal under one or more of the provisions §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b).

By your response to this email, please indicate whether you wish to assert a confidential business information (CBI) claim with respect to any portion of report submitted

under §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b) or any addendum, update or attachment to report, that your company has submitted to EPA.

If you decide to assert such a claim the EPA will temporarily treat the reports that you identify, and its updates, attachments and addenda, as confidential pending further

investigation by the EPA. Please be advised that as part of such further investigation EPA is likely to request (in a subsequent communication) that you substantiate any

CBI claim. If you do not assert a timely CBI claim (see below) with respect to any portion of a report or its addenda, updates or attachments, as described above, those records may be released to the requestor without further notice if EPA determines that the records are responsive to the FOIA request.

If you decide NOT to assert a CBI claim, please respond to this email and indicate your desire not to assert any CBI claims.

You have been identified by EPA as the responsible corporate official, under the FOIA regulations in 5 U.S.C. §552. Any CBI claim your company wishes to assert must be brought to the EPA's attention (by response to this email) no later than the close of business on the third working day from the date of this receipt by the responsible official (not including weekends). If you have any questions regarding this matter, please contact Region 8 FOIA Officer Mr. Alan Engels at either Engels.alan@epa.gov or (303) 312-6306.

Please note that this request pertains to the Region 8 geographical locations only (CO, MT, ND, SD, UT, WY). Other EPA FOIA offices may contact you regarding reports submitted to their regional offices.